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The maintenance of propertya program for Ontario









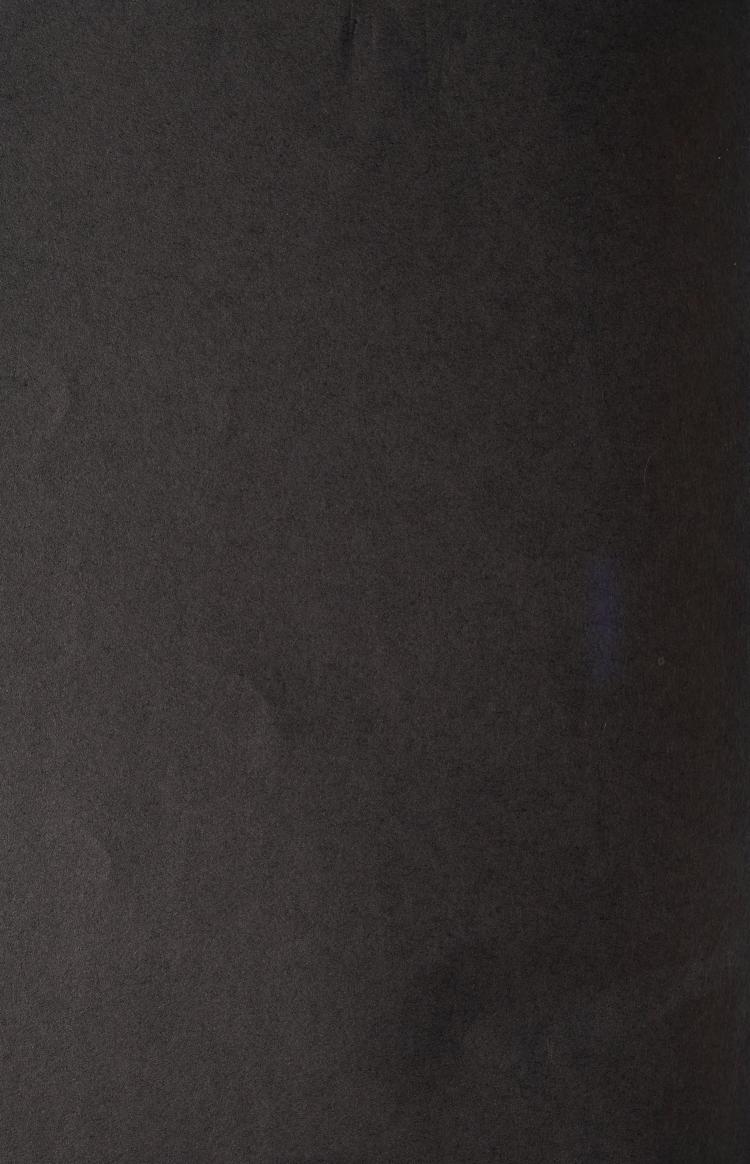












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The maintenance of property-a program for Ontario

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MATTHEW B. M. LAWSON CONSULTANT TO THE DEPARTMENT OF MUNICIPAL AFFAIRS. STUDY DIRECTOR J. F. BROWN MATTHEW B. M. LAWSON PLANNING CONSULTANT TORONTO

Dear Mr. McKeough,

It gives me a great deal of pleasure to submit to you my report on the maintenance of property in Ontario. This is an issue that will profoundly affect the lives of the people of this province and its importance is attested to by the keen interest shown by yourself and the many people I had occasion to work with. It was a privilege to be associated with them in this endeavour and I trust that the program I have drafted for your consideration will in some measure match up to their hopes, and to the needs of the people of Ontario.

Respectfully submitted,

STEE -

MATTHEW B. M. LAWSON

July 9/1970



DEPARTMENT OF MUNICIPAL AFFAIRS ONTARIO

Over the last few years, I have been approached a number of times to consider making changes in the legislation under which municipalities may establish minimum standards for the maintenance and occupancy of property.

This is an important issue. It affects all the people and municipalities of Ontario and seems bound to become of greater concern over the years ahead. Consequently, I decided that a thorough study should be made to help us determine how best to proceed.

The results of the study by our consultant, Mr. M. B. M. Lawson, are set out in this report. They cover a wide scope and will be of interest to a great many people. I decided, therefore, that they should be widely distributed and discussed before deciding upon what action the Government should take. Some recommendations, such as the amendments to section 30 a), The Planning Act, can be proceeded with quite quickly, while others will require closer examination.

I would ask you to read this report and consider the proposals carefully. Please make your views known to me. This is a matter of the greatest importance to all of us and I would ask you to assist the government in arriving at the best decision.

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W. DARCY MCKEOUGH
MINISTER OF MUNICIPAL AFFAIRS

July 24/1970



the issue

We live in an environment of our own creation. The importance of doing a good job, both in creating the environment and in looking after it, is obvious and has long been recognized. The need for government action to help ensure this has been increasingly accepted in recent years, just as there has been increasing concern over the quality of the environment. The communities of Ontario will endure: they must be well built and maintained.

needed

action

In 1962 the Department of Municipal Affairs published 'A Better Place to Live', which set out the need for legislation to help ensure that housing was maintained in good condition, and in 1964 the Province enacted Section 30a of The Planning Act to implement it. There had been earlier private legislation in Toronto, Ottawa and Windsor, designed for much the same purpose. Since 1964 there have been some additional private acts, mainly designed to extend this program to commercial and industrial property.

legislation

Many suggestions have been made for modifying and broadening the existing legislation. Individuals, organizations, and municipalities have raised questions about the adequacy of the present approach. These emphasized the need for a review. suggestions for improvements

In 1969 the Department of Municipal Affairs initiated a study designed to investigate the condition of property in Ontario, to assess the adequacy of present maintenance measures and to propose policies and programs to meet the need, including amendments to Section 30a, The Planning Act. The consultant was retained to work along with Departmental staff and to prepare the reports and recommendations.

the study

Field investigations were carried out, available information reviewed, enquiries made and discussions undertaken with many

investigations

We must create a good environment and maintain it well. The need is recognized and there have been many suggestions for improvements to the present maintenance legislation.

This report sets out a proposed program that is the result of a study to determine the best ways of achieving good maintenance, taking into account the many views expressed. It may take some time to implement all the proposals but this is an issue that will be with us for all time. A prompt beginning and well-organized progress will enable the people of Ontario to-reap the benefits in better living and working conditions.

people. A selected range of locations across Ontario was visited. Large, medium and small cities: towns, hamlets, suburbs and rural areas, were included. Some were in the south, some in the north; some had maintenance by-laws in effect, while some did not. They were chosen to cover the wide range and diversity of conditions that obtain in Ontario today.

consultations

Everywhere local people were consulted: officials who knew the situation, politicians who had views on its importance, citizens who could say how people felt about it. The issues were also discussed with officials in other provinces and some with wide experience in the United States. Independent experts were consulted about certain problems and possibilities.

maintenan**ce** program The resulting maintenance program is set out in this report. Emphasis is placed on the recommendations, the discussion of the study's findings being organized around them. An earlier report, entitled 'Statement on Ontario', set out the results of the field studies more fully.

prevention of problems

There is mention of the need to regulate new development to ensure that new problems are not being created as old ones are being corrected. In a sense this is beyond the range of maintenance but it is so obviously related that it is touched upon, particularly as the study revealed that such cases are by no means rare.

historic preservation

Another issue that was raised in the course of the study, but is not dealt with in this report, is the need for measures to preserve historic buildings. The considerations involved fall outside the scope of a normal maintenance program although there might be some interrelationship. The issue is being studied by the Provincial Preservation Study Group, which can best determine whether it can be related to the maintenance program with advantage.

minimum standards Before and during the study the question was raised of framing minimum standards of maintenance to be enforced uniformly throughout the Province. But the study revealed such a variation in conditions from one part of Ontario to another that a uniform set of standards would be meaningless in some areas and impractical in others. Some variation in local standards appears inevitable and not undesirable. The by-laws, in any event, generally list the items to which they apply and name an official who will decide when these are in good enough condition. For these reasons, and because it was concluded that it was unwise to adopt rigorous enforcement procedures, the idea of framing universal minimum standards of maintenance was dropped.

proposed program requires co-operation

The proposed maintenance program is addressed to the Province as an integrated set of measures for its adoption and implementation. But the Province can not do the whole job by itself. All other governments and agencies have a part to play, particularly the municipalities. And ultimately a great deal depends on the people of Ontario. This is a program to help people help themselves, and its success will depend to a considerable extent on how far they are persuaded to do so.

implementation

Taken together, the recommendations present a comprehensive program designed to meet the varied needs of people and communities in Ontario. But while they all interlock each has merit in itself and could be adopted individually with considerable benefit. Some, indeed, will inevitably take time to fully implement because of the organization and participation required. Others can be applied relatively quickly.

But this is an enduring issue — the need for maintenance will be with us for all time — and the proposals are conceived as the basis for an enduring program for handling it. A prompt start will enable immediate progress to be made: an orderly, well-organized build-up will bring the program to fruition as a creative influence in the life of Ontario.

program for an enduring issue

the situation in Ontario

conditions are varied

importance of maintenance

concern over housing

action needed on all kinds of property

a universal issue Throughout Ontario conditions vary greatly. Most property is quite well maintained, and there has been some improvement in recent years. But in all parts of the Province there are buildings and grounds that need attention. Yards are littered with rubbish, buildings need repair, homes lack plumbing, are dirty or overcrowded; premises are unsightly, unpainted and unkempt. There is a growing realization that something must be done to overcome these problems and to prevent them from arising.

Where property is neglected deterioration often leads to it becoming a public liability, not just a private misfortune. Ultimately urban renewal may be decided upon as the way to get rid of the problem, at considerable public expense. It is recognized that this is justified because blight causes a weakening of the community's ability to operate productively and effectively for its people, and the condition is not likely to be solved otherwise. The tax base becomes weaker, the costs climb higher, the economy declines and people suffer. But this situation can largely be prevented from developing if effective maintenance measures are carried out, supported by clear public policies.

Naturally concern is greatest over the condition of housing. People's lives, their investments, and their enjoyment of the places where they live, are immediately affected. Personal interest and social conscience demand action.

But there are also mounting problems posed by other kinds of property. Unsightly and neglected shops; industry marked by rundown buildings, muddy yards and abandoned machinery; dilapidated farm buildings; broken sidewalks and unkempt boulevards; messy car dumps and salvage yards, are all too common. They are major problems in many parts of Ontario, detracting from their communities. Action is needed to deal with commercial, industrial, institutional and public property, not just housing.

In some cities there are clear concentrations of property in need of maintenance. In others, the problems are widely scattered, badly kept places being cheek-by-jowl with attractive, well-maintained ones. And this is true in areas of all kinds, residential, commercial and industrial. Public property is sometimes among the offenders.



While most property in Ontario is quite well maintained, a great deal is not. There is much that needs attention. If it is neglected, it can become a serious problem for both the individual and the community. It may lead to urban renewal, at great cost and disturbance.





Concern over the condition of housing is strong. But it is increasingly recognized that all types of property must be well maintained. They are all part of the community.

rural problems more severe than urban

north worse than south

poor construction leads to problems

problems still being created

Even where a city has concentrations it usually also has a good sprinkling of problems in other areas. The need for action is widespread.

The larger cities have the greatest numbers of properties that need more care than they are getting. But the rural areas have the greatest proportion, especially of those that were badly built, provide poor accommodation, or lack plumbing. In general, the concentrations increase in size from country to city but the proportion and severity of the problems increase from city to town to village, hamlet and isolated building.

Similarly conditions are generally worse in the north than in the south. Standards of all kinds of property tend to be lower and maintenance poorer in both urban and rural areas, and less effort is made to improve them. In part this is a legacy of the days when people went north to make money and then get out. There was a feeling of transience about both people and places, and poor conditions were tolerated. The day is long past when these places could be considered temporary: they are enduring settlements, but the heritage of the past is still with them.

Often the worst cases, particularly among homes, are those that were badly built in the first instance. Summer cottages later converted to year-round homes, shacks thrown up on bits of farmland or in the bush, cheap houses built on the edge of town, are all too often problems today. They were mostly allowed to happen without any public supervision or guidance in the first instance.

Today this is still happening. There are vast areas of the Province, both in unorganized territory and rural areas, where there are no effective building controls and people are free to put up more or less

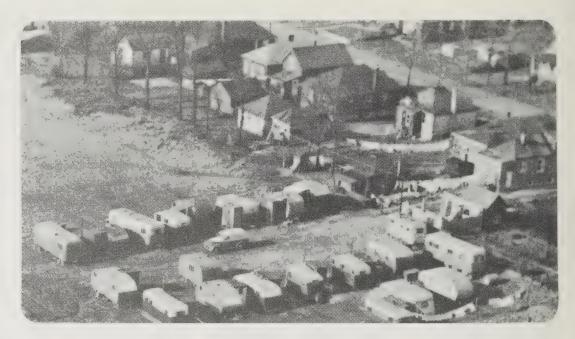


This is a universal issue. While there are concentrations of poorly-maintained buildings in some places, there is also a scattering in almost all parts of Ontario. Rural areas have a greater proportion than the towns and cities, and the north is generally worse than the south.

what they choose. Fortunately the general standard of construction has improved, presumably because the owners and builders want better houses, but summer cottages are still being converted into poor homes and shacks are still being built on farm or bush land. The structure is often poor and services are well-nigh impossible. They are problems from the beginning, compounded as clusters grow up in some locations.

Poor construction and bad development are problems from the start. Shacks built without control, winterized cottages and badly-placed buildings are perennial headaches. They may be impossible to cure at reasonable cost. Even servicing may be extremely difficult.





Mobile homes are being increasingly used, often without controls. They deteriorate much more rapidly than buildings if not very well maintained, and can become very squalid.

mobile homes pose problems

condition depends on maintenance as well as initial construction

normal maintenance

commercial maintenance

basic approach to maintenance

To this is now being added the mobile home. When new, these provide small but useful, economical and adequately serviced homes. But they deteriorate rapidly compared to buildings and are hard to maintain for many years. When old and run-down they can be as bad as any shack. Where several are just parked on a piece of land without any provision for services the results can be squalid indeed.

It is true of properties of all kinds, that their condition depends largely on the way they are maintained, especially after the first 20 years. Timber buildings deteriorate faster than masonry if not looked after, but all will last a very long time if well maintained. The rate of attrition through demolition and replacement is very slow so that most buildings can be expected to stand for about 200 years. Maintenance will clearly be important through most of their lives, and good construction that minimizes the need for maintenance will be well repaid.

While there are certainly many problems the majority of properties, both grounds and buildings, are adequately maintained. And the great bulk of this maintenance is done as a normal undertaking by the owner. Year by year homeowners do what they can by their own efforts. They buy what they can afford out of ready cash, usually a few hundred dollars worth in any year, and do the work themselves, calling in tradesmen and contractors only when they have to.

Landlords, and business and industry, generally rely on contractors, or have their own maintenance staff. But they also regard this as a normal, continuing task to be undertaken over the years.

It seems clear that this must be the basis of any effective efforts. Maintenance must be accepted as a normal, continuous, universal process, and the efforts of the owners to deal with it in the ways that best suit their circumstances must be encouraged and extended. In particular, the self-help approach of the homeowner, tackling a series of jobs as he can cope with them, is fundamental.



Buildings have to last a very long time. Their maintenance largely determines their condition throughout most of their life.

The confidence an owner has in the future of his property, and the area it is in, greatly affects the effort he makes to maintain it. And public policy can play a vital part in creating, sustaining, or destroying that confidence. In those places where there was a public attitude that the area was in decline, or where people felt threatened by expropriation, re-zoning or other changes that they did not relish, neglect was often noticeable. By contrast, where city authorities had gone out of their way to instill confidence people had responded.

confidence is essential, and is affected by public policy



Most owners look after their property as a normal year-by-year undertaking. In bigger buildings they generally employ contractors or maintenance staff, but for house repairs the great majority of homeowners do what they can themselves as they can afford it. These efforts of owners to carry out maintenance as a normal, continuous activity are fundamental to any attempt to achieve the results that are needed.



Confidence is essential if owners are to look after their property. The standards set by public property can be very influential. But it is also essential to avoid erratic policy changes, such as rezoning, that threaten the stability of an area. Public policy should aim at fostering confidence.

Many people were afraid their taxes would go up if they fixed up their property. Some even left buildings unfinished, or neglected them, because they believed this meant a lower assessment.

effect of public actions

Explicit public statements of policy had a pronounced effect on individual efforts. But there were also instances to demonstrate that, even without such statements, public actions that evidenced municipal attitudes had their impact. A willingness to re-zone lands on request caused both those who feared it and those who hoped to sell to cease spending on their properties. Neglect of roads, boulevards and parks, and a poor service for collecting rubbish and garbage, had its counterpart in littered yards and untidy premises. On the other hand, the installation of services and paving of streets produced marked improvement in the maintenance of abutting property, even to the extent of quite substantial investments. And the best conditions generally corresponded with those places where the services were good and explicit public policies gave people every reason to have confidence in the future of their area.

taxation affects maintenance

Taxation was a contentious issue. Many people feared that their taxes would go up if they fixed up their property, and some even suspected that municipal encouragement of maintenance was designed to get more taxes. There were also cases with all kinds of property where people left buildings unfinished, or neglected them, to get a tax advantage.

Some municipalities, particularly the larger cities and those that have undertaken urban renewal programs, have adopted mainten-

ance standards by-laws under Section 30a of The Planning Act, or equivalent private legislation. These apply only to housing, except in Ottawa and East York, where special acts cover commercial and industrial property. Similar powers have recently been extended to Sault Ste. Marie.

maintenance standards by-laws: section 30a, the planning act

Only the City of Toronto has applied its by-law consistently over large areas. Windsor is experimenting with the same approach in one limited section and other municipalities are using the by-laws throughout renewal projects. Beyond that, enforcement is generally on the basis of complaints or referrals. Ottawa has made extensive use of this approach. Some other municipalities have barely begun to apply their by-laws.

application of by-laws generally on complaint

The results of enforcing these by-laws have generally been good, particularly in Toronto where there has been a marked improvement over the extensive central area so far covered. People in the area appear to have become more enthusiastic as the program progressed and they could see improvements and noticed that property values went up. They were also encouraged by public policy statements and steps to improve public services.

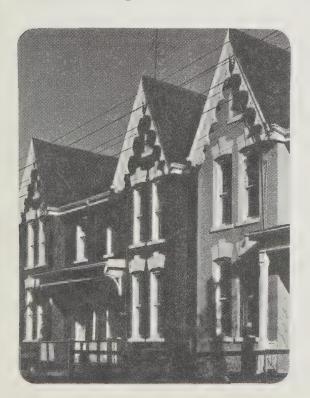
by-law results

But the total effect of the by-laws has been very fragmentary and haphazard when seen against the broad spectrum of need in the Province. They generally cover only residential properties, they have been enacted in only a few municipalities, and their enforcement is mostly rather hit-and-miss. In some cases they are virtually inoperative, while reliance on complaints means that it is the annoying rather than the poor property that is dealt with. Complaints may also lead to ill-will between neighbours, even leading to further neglect on occasion.

by-laws fragmentary

Where the by-laws are enforced compliance is achieved in most cases. But the standards are minimal; lower than people normally use when looking after their own property. And not all aspects are uniformly enforced, especially when it appears that this might cause some hardship.

enforcement



Some cities are trying to ensure that houses are adequately maintained by enforcing maintenance by-laws. But this is generally a very sporadic and fragmentary approach when compared to the need throughout Ontario. Nor is the legislation designed for dealing with emergencies, where quick action is needed to have a hazard corrected or the premises vacated.

While the legislation permits the occupancy of houses to be regulated, this provision is seldom enforced unless the conditions are harming the residents or the building.

emergencies

rubbish collection

car hulks

housekeeping

occupancy standards

loans for repairs and improvements

From time to time emergencies arise. Inspectors discover conditions that are so hazardous that immediate action is called for, possibly including vacating the premises. In some cases prompt demolition is warranted. In others it may be reasonable to continue to use the buildings, with caution, provided repairs are made as soon as possible. But the present legislation is not designed for these emergencies and municipal officials who are trying to deal with them are frequently in a quandary about how to act. If the problem is not just ignored there is a tendency to fall back on the powers of other agencies — to have services cut off or the premises placarded — as a way around the dilemma. This action may be better than nothing but it is often not particularly pertinent to the problem and seldom helps to have the conditions corrected. It is also very unpredictable, depending on the willingness of various officials to use their powers in ways that are not quite what was intended.

In many cases municipalities would like to be able to have properties cleaned up fast, particularly to get rid of rubbish and car hulks. While there is the possibility of making the by-laws more effective, the basic problem often seems to be the difficulty the owner encounters in getting rid of this debris. Only the City of Toronto and one or two other places have a rubbish pick-up every week and even this does not take care of large items or car hulks. In most places the owner has to make his own arrangements, and this is not always easy. Where the annual Clean-up Week is the only time of year that the municipality makes a free rubbish pick-up it is not surprising that the yards often serve as year-round rubbish containers and that the streets look like dumps when Clean-up Week comes around.

The problem posed by car hulks is even greater than that of other rubbish. They are the commonest blot on individual properties of all kinds, in many parts of the Province. And when they are collected together into auto wrecking yards the result is an eyesore that blights its surroundings and epitomizes a problem of our society. It is obvious that a better way of collecting and disposing of this refuse would produce a substantial improvement in many communities.

Even if the building is in good condition housekeeping is often a problem. This seems particularly common where a building is rented and the tenant feels no responsibility for looking after it. Both owners and occupants may then fail to try to keep the place in order.

The by-law occupancy standards govern how many people may live in a dwelling. But they are seldom invoked except in extreme cases of over-crowding. In many areas it appears that people have a way of life that permits them to occupy a house quite intensively without causing problems. In addition, there is often a serious shortage of low-priced family housing they could go to if displaced. Only when it appears that conditions are hard to tolerate, or overcrowding is leading to deterioration, are the occupancy provisions called into play, and they seem to be adequate for this purpose. The problem here is to increase the supply of low-priced family housing, rather than to strengthen the occupancy standards.

Enforcement of minimum standards by-laws highlights the problem people have in raising money to carry out substantial repairs or



Rubbish dumped in the yard harms the whole area, besides sometimes creating health hazards. A good rubbish pick-up service makes it easier to prevent this from happening. Car hulks are a common eyesore. They would be less common if people could get rid of them easily.

Rubbish dumped in the yard often reflects poor housekeeping indoors, where it is a more serious problem.

improvements. In many parts of the Province it is not easy to borrow money even when people can afford to do so. The usual lenders may not regard the area as a good place to make loans. They may also be unwilling to lend the small amounts, hundreds rather than thousands of dollars, that many people need to buy materials since such a loan is not very profitable. Finance companies may be more willing, but expensive. The best sources are often credit unions, where they exist. If the money is available, it appears that most people can afford to repay the modest loans they need at normal rates of interest.

Some people, however, need financial help, and there are few ways of helping them at present. Welfare laws do not seem to be used for this purpose to any extent. In any event, it is not only welfare recipients who need such help.

There are also those who need counselling and similar assistance to look after their family affairs. They get whatever help can be provided, but it is generally limited and frequently make-shift.

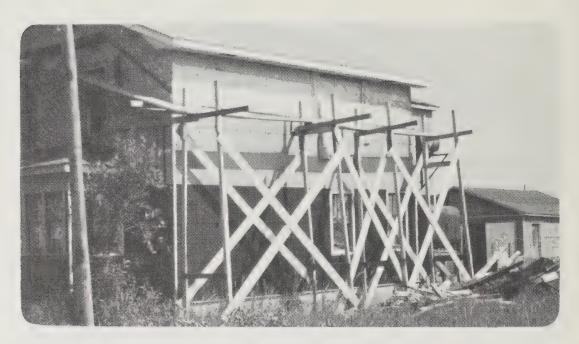
Ultimately there are those who are incapable of looking after their property. Because of age, infirmity, dullness, eccentricity or other incapacity, it may be beyond them. And yet it may still be best to keep them in their homes. At present, individual and informal efforts are made to help such people but little is generally achieved. Fortunately such cases are few, but until there are ways of providing for them they loom as a substantial problem.

Throughout extensive stretches of the Province there is no adequate government to cope with the problems of achieving better

financial assistance

counselling

incapacity



In Brunetville, outside Kapuskasing, the Province carried out a very successful project to help the residents improve their homes. This is a more extensive effort than would be called for in most places, but it demonstrates the need for a government that can see to it that whatever action is needed is carried out. In many areas local government cannot handle the task by itself: Provincial action will be needed.

While most people throughout Ontario are able to look after their own property some cannot do so without assistance. Generally it is financial help they need, but quite often advice and counselling are necessary. Sometimes the authorities virtually have to take over responsibility for repairs. The Brunetville project demonstrated these needs.

lack of adequate government

unorganized territories

prospects if adequate government programs established

conditions. The fact that efforts have been confined to the cities is not purely co-incidental. The administration of small towns and rural areas is not geared to an operation of this complexity and there is no evident way of them adapting to it.

Unorganized territories are more obviously lacking in a local government to handle the situation. And yet they could be better off since in certain cases the Province can step in and make special arrangements. The success of Brunetville, in Kapuskasing, shows what can be achieved. In that instance the Province established the policy, saw to it that public works were provided and ensured that loans were available. It was a difficult undertaking successfully accomplished.

Whatever the answer may be it seems clear that some new governmental arrangements will have to be established if headway is to be made with an adequate program to meet the need. The idea that things can well be left as they are because people like them that way was not borne out by the study. Almost universally the view was expressed that people want improvements and are prepared to try for them. But they need the leadership, organization and assistance that a well-equipped government can provide. Given this, supported by clear policies and consistent action, the prospects seem good for a continuing program of maintenance and improvement as a normal way of looking after property.



It is clearly in everybody's interest to keep property in good condition, and people recognize this. New government arrangements will be needed to make it possible to carry out a fully-effective program. If this is done the prospects are good that our surroundings can be improved and the value of our property maintained.

This would be of great value to the individual and the community. Living and working conditions would be improved, with the prospect of eliminating squalor. A more attractive environment would go hand in hand with protecting the value of the great property asset that has been created. Areas could be maintained as good, productive parts of the community rather than deteriorating into blight. Money spent on maintenance would be more than repaid in the value sustained and the prevention of the cost of decay. Ultimately the need for urban renewal clearance could be greatly reduced. These benefits affect everyone, from the occupant of the property to the Province of Ontario. They are within reach if suitable programs are pursued. Indeed it seems likely that the programs will be called for in any event to help clear up the unsatisfactory conditions that are increasingly unacceptable in our society.

good maintenance has great value and importance To meet the need it is proposed that the Province adopt a program designed to achieve the continuous maintenance of all kinds of property in all parts of Ontario. It should be aimed at having repairs and improvements done as well as routine maintenance and good housekeeping. It should be a normal part of life in Ontario.

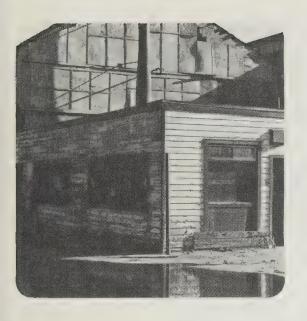




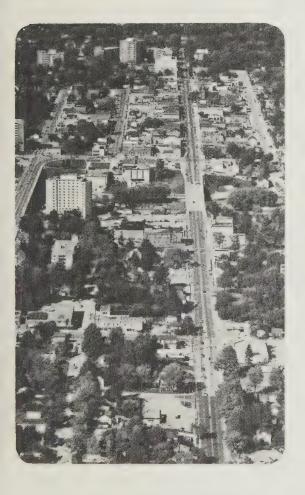
















It is fundamental to the success of the program that it be aimed at achieving results, not prosecutions. People should be encouraged to look after their property in the ways they find best. They should be given confidence in its future and public property should be a good example to them. Advice should be readily available, and those who need financial or personal assistance should be able to get it. The aim should be to encourage and assist people to do as much as possible for themselves. Enforcement should be a last resort, and it also should be aimed at getting the work done.

the general program

Provincial Maintenance Program

need is continuous and universal

scope of work required

new problems to be prevented

program to be adopted

program must be positive

a normal activity

The need for maintenance is continuous and universal. It touches all parts of Ontario and all kinds of property. It applies as much to commercial, industrial and public property as to residential, and improvements are at least as badly needed in rural as in urban areas. Regular attention to maintenance over the years is essential to prevent deterioration, waste and heavy expense.

The scope of work required covers not only routine maintenance but also repairs and improvements, to bring premises up to required standards or adapt them to changing needs. Housekeeping is also a major concern, whether the property is residential, commercial, industrial or public. All of these things are within the scope of a maintenance program. Overcrowding of housing is too, but the present legislation seems to meet this need.

Beyond the maintenance program, but closely related to it, is the need to prevent developments that are clearly going to be problems, either immediately or in the not-too-distant future. Poor construction, badly converted summer cottages, buildings where no services can be provided, and mobile homes are common examples. Declining communities pose their own special difficulties. All of these need study and action. If they are not taken care of the problems that result are likely to be beyond the scope of any normal maintenance program.

To meet the basic requirements, a program of public maintenance measures should be adopted whose universality, continuity and scope correspond to the needs. All kinds of property should be included, the range of maintenance sought should run from house-keeping to structural improvements and the process should be one that will be effective over the years ahead.

To succeed, the program must be designed to actually achieve the maintenance of property. The object is to get the job done, not to prosecute people.

The aim should be to foster maintenance as a normal part of the life of the community. People should be helped by the program in doing a job of maintenance that they know should be done anyway.

That the Province adopt a maintenance program of measures that are:

Recommendation No. 1

- universal

embracing all kinds of property in all parts of Ontario

continuous

a process of consistent action over the years

- adequate in scope

to embrace all aspects of maintenance

- positive

to accomplish the required work

- normal

a part of life in the community

and that steps be taken to ensure that new development is not likely to create maintenance problems.

Orientation of the Program

The cornerstone of any program must be the willingness of people to look after their own property. The work, with few exceptions, has to be done by the owner, whether it be an individual, a corporation or a public body.

reliance on owners

Results of the scale, universality and continuity required can only be achieved by encouraging and assisting people to do the job in the ways they find most convenient and economical. For the great majority of home owners this means year by year do-it-yourself maintenance, with the occasional help of tradesmen. Corporations, public bodies and some individuals will employ maintenance crews and contractors. The program must accept and strengthen these methods, besides providing help for those who need it.

practical methods to be used

The first objective must be to encourage as many as possible to look after their property on their own initiative. This means not only urging action, but also creating conditions that will instill confidence and make it evident that it is sound to carry out maintenance.

encouragement

Advice should be readily available. It can help increase the number of jobs that people can tackle for themselves, besides equipping them to do a better job. It should be used to extend the effective range of individual effort.

advice

Where people need assistance it should be available in a form that helps them to look after their property by themselves. In most cases this will be financial help geared to do-it-yourself maintenance or to tradesmen's services. However, there are also those who need counselling to enable them to organize their affairs so that they can look after themselves and their property.

assistance

With all these measures to increase the effectiveness of individual efforts there should be few cases where enforcement is needed, although this possibility may be a useful spur in cases where owners would otherwise be negligent. The enforcement legislation, like all other measures, should be designed to get the job of maintenance done, not to obtain convictions.

enforcement

progressive application of measures

The application of the various measures in the maintenance program should be progressive. Encouragement should be used to stimulate as many people as possible to do as much as they can for themselves. Advice should be available to further increase the number who will be able to look after themselves, and the range of jobs they can tackle successfully. Those who need assistance should be able to get it in a form that will enable them to tackle the work to be done. Enforcement should be the final step, resorted to only when necessary in a program designed to ensure that maintenance will be carried out.

Recommendation No. 2

That the program be aimed at stimulating owners to carry out maintenance by the most practical means and reinforcing their ability to do so.

That the major divisions of the program be

Encouragement

Advice

Assistance

Enforcement

That the various measures in the program be applied progressively in the above order, the first three being used to accomplish as much as possible without resort to enforcement.

Implementation

implementation imperative A program is only as good as its implementation. This one requires responsible governments in all parts of Ontario that are willing and able to carry it out.

city responsibility in the past

In the past the responsibility for maintenance efforts has been left in the hands of those municipalities, mostly larger cities, that chose to exercise it. The Province passed enabling legislation, called for action in certain cases, and provided advice.

rural areas unable to handle This arrangement could be extended to a good many more municipalities, but it would be a very long time before it reached large parts of Ontario. The unorganized territories have no local government at all, and in many rural areas and small towns the local administration is completely unable to handle a complex issue such as this.

provincial action needed

The Province will have to take a hand. In unorganized territories it will be solely responsible. It may also have to accept most of the responsibility in rural areas and towns. Smaller cities may or may not be able to handle the full program, depending on their organization and willingness. Where they do not do so the Province may have to step in. Larger cities should be capable of doing the job and should be expected to take full responsibility for local action, supported by Provincial programs and advice.

regional municipalities The situation may be improved by the creation of regional municipalities. These may be able to accept this responsibility where individual municipalities in the region could not.

It is essential that there be clarity about who is responsible for what. A formula should be adopted by the Province that will set out the apportionment between the Province and the municipalities as simply as possible.

clear formula essential

Since maintenance is a part of daily life in the community it is desirable to leave the responsibility for field operations at the local level as far as possible. But this can only be done where a local government exists that is equal to the task. Elsewhere the Province must assume responsibility if the program is to be more than an empty gesture. Responsibility must be matched to administrative ability.

field operations matched to administrative ability

An initial suggestion, that could serve as a starting point in developing a suitable formula for allocating responsibility, is as follows:

suggested formula

- Municipalities with over 50,000 population would be given the responsibility for deciding on undertaking maintenance programs, and for setting up the organization to administer them.
- Municipalities with a population between 5,000 and 50,000 would be asked to decide whether or not they wanted to exercise this responsibility and were prepared to establish the necessary administration. They would, in any event, be expected to encourage maintenance by adopting suitable policies, and to assist with the programs.
- Municipalities with less than 5,000 population would be asked to encourage maintenance by adopting policy statements, carrying out normal municipal works, and in other ways, but would not be given responsibility for the field programs without the Minister's approval.
- Where a regional municipality had a population in excess of 100,000 the constituent municipalities, regardless of size, could request the Provincial government to assign this responsibility to it.
- The Province would take direct responsibility for the programs in unorganized territories, in rural areas and municipalities of less than 5,000 population, and in those municipalities between 5,000 and 50,000 that elected not to undertake the responsibility, except where the role was assigned to a regional municipality.

To take care of unusual local circumstances the Minister of Municipal Affairs should be able to authorize exceptions to the formula.

There will be administrative costs involved in running the various programs. The per capita costs will vary from place to place depending on the size and dispersal of the population and the extent and nature of the problems to be dealt with. The ability of municipalities to pay the costs will depend on their wealth. Because of these variations, and since the Province itself would be bearing the cost in many areas, it is proposed that the Province reimburse municipalities for

exceptions

proposed assistance to pay administrative costs





a suggested formula

implementation in step with ability

progressive implementation

benefits of implementation

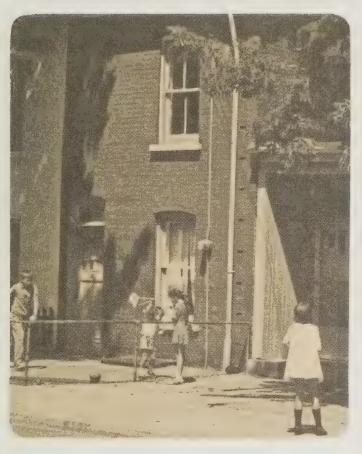
part of their costs. This is particularly necessary to stimulate the adoption of the proposed new programs.

Various different formulae are possible and whatever one is adopted should be compatible with the Province's present and future municipal grant structure while still being simple to apply during the early stages of implementation. A suggestion is that the rates of reimbursement should be: 50% for municipalities of over 50,000 and regional municipalities of over 250,000: 75% for all others.

It will take some years to make the entire range of measures fully effective in all parts of Ontario. They should be introduced progressively, without undue delay but in pace with the ability to carry them out adequately.

Implementation should be progressive in two ways. The various measures in the program should proceed from those designed to encourage and advise people to those that would provide assistance and, ultimately, to enforcement. Some of these could be Provincewide from the beginning. But the ones that require a field organization could start in the municipalities equipped to handle them, and in Provincial pilot projects, and extend progressively to other areas. Experience gained in the early stages could be used to improve the effectiveness of the measures as they were extended.

The advantages to be obtained from the program should help spur its implementation. It is in everybody's interest to maintain property in good condition. The individual, the community and the Province all benefit from the resulting attractiveness of the environment, and from the conservation of the wealth that property represents. People are likely to seek the benefits of a program that helps them to reach this objective.



Without implementation the program is meaningless. It is proposed that the Province adopt a formula setting out the responsibility of municipalities, regional governments and the Province itself, and a parallel formula of arrangements for sharing administrative costs. The maintenance program contains a range of measures designed to provide encouragement, advice, assistance and, ultimately, enforcement. They should be applied progressively in that order and extended in an orderly way. They should start in cities that already have programs, and in pilot projects undertaken by the Province to gain experience in rural areas and unorganized territory.

That the Province develop and adopt a process for the implementation of the program, including

 a formula for the allocation of responsibility to the municipal, regional and Provincial governments.

- a formula for the sharing of administrative costs.
- pilot projects to test methods and deal with selected areas.
- proposals for progressive implementation, and the methods of extending the program.

Recommendation No. 3

specific measures

To carry out the general objectives of the program a series of quite specific measures will be required. Outlined on the following pages are the ones proposed as a basis for organizing the efforts of the Province, municipalities and others. They are set out under the major divisions of the program, i.e.

Encouragement

Advice

Assistance

Enforcement

Encouragement

Policy and Publicity

The most important factor in encouraging people to look after their property is the confidence they feel in its future and in the continuing attractiveness of the area. Both the Province and the municipalities can go a long way towards stimulating this. They should also avoid anything that discourages people from making repairs and improvements.

There are several actions the Province can take to help achieve this objective. Some can be undertaken by the Province alone: some require the co-operation of others. All are aimed at creating the conditions that will encourage people to maintain their property on their own, and make it easy for them to do so.

A pre-requisite is the adoption by the Province of the policy of encouraging the stabilization and improvement of developed areas, including

- the channeling of substantial change and redevelopment to locations where it is logical or necessary, and minimizes the impact on stable areas.
- the recognition of this objective by Provincial departments in the planning of works of all kinds.
- the incorporation of this objective into Provincial regional plans when these are prepared.

confidence essential

provincial action

encourage stabilization and improvement

statements

The Province should also make its position widely known by issuing statements, through speeches, circulars and the widespread distribution of pamphlets, that would

- emphasize the facts that most properties have a long useful life ahead of them and that most developed areas are quite stable.
- proclaim the government's policy that all property, public and private, should be well maintained in the interests of the individual and the community.
- explain the approach being taken by the government to getting the job done, and outline the major features of the program.
- urge people to take steps to look after their property.
- advise people how to get more information.

That the Province adopt the policy of stabilizing and improving developed areas, except where change is logical or necessary, and ensure that this policy is pursued by its own departments.

That the Province issue statements designed to publicise its programs and to encourage individuals, corporations and municipalities to take the initiative in looking after their property.

Recommendation No. 4

People must be encouraged to look after their property as much as possible. Confidence in the stability and attractiveness of their area is fundamental. Public action can have a major influence and it is proposed that the Province do what it can, through accepting this objective and publicizing its program, to encourage owners and other governments.



provincial property

unorganized territory: pilot projects

Provincial Property

The Province must also look after its own properties well, to encourage others and to help enhance the communities where they are located.

Similarly, it is important that the Province accept the objective of keeping all kinds of public property in good condition in those parts of Ontario for which it is responsible, particularly the unorganized territories. This is a sizeable task that will require study and progressive action. Pilot projects should be undertaken to test methods of doing the job, besides making improvements in the selected areas.

Recommendation No. 5

That the Province ensure that its own property is well maintained. That steps be taken to look after public property in unorganized territories, starting with pilot projects.



It is obvious that the Province must keep its own property in good condition if it is to encourage others. It is just as true that it must take steps to ensure that all public property is well maintained in the unorganized territories and those other parts of Ontario for which it is responsible. Pilot projects should be launched to make a start on this task and work out the best ways to proceed.

Tax moratorium

tax increases discourage maintenance It is hard to encourage people to improve their property when they expect to be penalized for doing so. Fear of increased taxes is common, even when people are told that certain repairs do not affect assessment. It is particularly hard to persuade them that there is nothing to fear when they believe that assessment is geared to market value.



Many people fear that repairs and improvements will bring increased taxes. To eliminate this deterrent and provide a positive incentive, it is proposed that a limited moratorium be enacted on tax increases due to such efforts.

The best way of counteracting this concern, and providing a clear encouragement to owners, is to introduce an explicit exemption for improvements for a limited period of time, related to the usual financing period if money has to be borrowed. This could be achieved by enacting a moratorium on tax increases due to repairs or improvements. The suggested period of exemption is 5 years and the total amount at any one time on one property is \$5,000.00 of assessment. An administrative arrangement for handling this, without unduly complicating assessment procedures, would have to be worked out.

The Province should also review whether or not owners could be given an assurance that certain kinds of maintenance would not increase their taxes. If this is possible details should be widely publicised.

tax moratorium

effect of maintenance on assessment

That the Province enact a moratorium on tax increases due to the repair or improvement of buildings, to run for 5 years and the maximum amount to be \$5,000.00 of assessment.

Recommendation No. 6

Government participation

The Province cannot carry out the program alone. Other governments control substantial amounts of property whose maintenance will have an impact on communities, similar to that of the Province's property. Municipalities have a particularly important role in influencing the attitudes of their citizens.

The Province should seek the co-operation of all governments and their agencies in pursuing complementary policies, and in particular

- ask them to ensure that their property is well maintained.
- encourage municipalities to adopt policy statements endorsing the

all governments involved

co-operation of governments



This is a Provincial maintenance program, and the Province must provide leadership. But it cannot do the job alone. All governments and their agencies must be asked to cooperate. Municipalities, in particular, have a heavy responsibility to encourage confidence and do their part in improving the maintenance of the community.

principle of stabilizing and improving most developed areas, while channeling substantial redevelopment to where it is logical or necessary and creates the minimum disturbance. Such statements should be incorporated into the Official Plan if the municipality has one.

- scrutinize proposed municipal plans and by-laws for adherence to this principle.
- encourage municipalities to provide adequate public services, including a satisfactory system for collecting rubbish.
- call for municipalities to publicise their policies and actions designed to encourage maintenance and, where appropriate, collaborate with them in publicity arrangements.

Recommendation No. 7

That the Province seek the co-operation of other governments and their agencies, and provide them with advice on the implementation of the program.

That the Province consider ways of encouraging municipalities to provide adequate services.

7 11

car hulks

difficulty of disposal

Car hulks

One of the most pervasive and frustrating problems is the disposal of old car hulks. They are a blight in all kinds of areas — residential and non-residential — and a constant source of complaint.

A large part of the trouble seems to be the difficulty people have in getting rid of a hulk when they try to. They may have to pay someone to take it and even then it may finish up sitting with others in an

unsightly yard. Nor is it much help to have people abandon old cars on or off the highway. That problem has been the subject of investigation by a Provincial inter-departmental committee on abandoned vehicles.

What is needed is a positive way of disposing of old car hulks; one that is easy and cost-free for the individual. It is proposed that the Province study possible methods and initiate an effective Ontariowide system. Other jurisdictions have been faced with the same problem and some, such as New Brunswick, have taken steps to deal with it.

province-wide disposal system needed

A possibility would be for the Province to arrange for car-crushing equipment. Local authorities could be called on to look after the collection of the hulks for crushing on pre-determined dates. The crushed bodies could then be sold for refuse, buried or otherwise disposed of. Whatever method is used should take into account the findings of the Provincial inter-departmental committee.

a possible system

That the Province develop and operate a suitable Ontario-wide system for the disposal of car hulks.

Recommendation No. 8

Advice

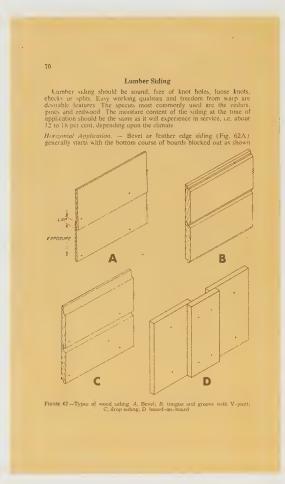
Booklets and Guidelines

Since fundamental reliance must be placed on the initiative of individuals looking after their own property it is most important that they be good at it. Many are obviously quite skilful but others would

advice can improve maintenance

The ubiquitous, unsightly car hulk requires positive action to dispose of it. It is proposed that the Province develop a disposal system that will reach all parts of Ontario, perhaps using mobile car-crushing equipment. Collection of the hulks could be a local responsibility.





If people are to look after their own property they must know how to do it. It is proposed that the Province arrange for "do-it-yourself" pamphlets to be widely distributed. To help deal with such difficult cases as municipal dumps and salvage yards the Province should seek solutions and provide guidance to municipalities and others.

owners should know how to tackle jobs

extend range and quality of maintenance

guidelines and handbooks guidelines

booklets

do a better job if they had some good advice. In many cases the availability of advice can make the difference between adequate maintenance and a job left undone.

The objective is to ensure that people know how to tackle the simple jobs that they will have to look after if they maintain their own premises. Even if they hire tradesmen and contractors the results may be better if the owners know what is to be done.

By providing advice it should be possible to extend the range of voluntary maintenance appreciably, as well as improving the quality of much that is done. Residual problems should thus be reduced to a minimum.

To help people understand how to go about some of the more common tasks the Province should

- prepare guidelines suggesting ways of handling various situations, particularly difficult problems like screening salvage yards and municipal dumps.
- prepare "do-it-yourself" booklets describing common repair, maintenance and renovation work. These should be available on request or through municipalities, schools and field staff.

Recommendation No. 9

That the Province

- develop guidelines for handling typical problems.
- have "do-it-yourself" booklets prepared.
- distribute them widely.



Maintenance should be a normal part of education, just as it is a normal part of life. All school children should learn how to do simple repairs with simple tools. Extension classes should be available for those people who want to tackle bigger jobs. Training is also needed for the government staff that will work on the program.

Education

Education is obviously an important part of any effort to ensure that as many people as possible know how to look after their property. Most fundamental is the objective of having everyone know how to cope with relatively simple jobs around the house. This can best be achieved by giving all school pupils handyman courses in home maintenance.

People who want to carry out substantial repairs or renovations often have to learn how to do the job. Extension classes arranged by school boards or community colleges are an excellent way of showing them how. Not only the quality of the work but even whether the job gets done or not may depend on the availability of such classes.

Another form of education that will be needed is the training of staff to handle the various parts of the maintenance program. This would be in keeping with the kinds of education available at community colleges.

school courses

extension classes

staff training

That the Province, through the Department of Education, arrange for handyman courses for all school pupils, extension courses for people wanting instruction in repairs and renovation, and training for maintenance program staff. Recommendation No. 10

Field advice

Sometimes the most effective advice is that which is given to an individual right on the spot where he is faced with a job to do. At the present time some municipal inspection staff attempt to do this and it yields good results. But they are not equipped or organized to do

value of field advice

Sometimes the most effective advice is that which is given right on the job. It is proposed that this be part of the maintenance program effort to get the job done.



arrangements: progressive implementation

it as their prime responsibility. It would be much more effective if field staff were hired specifically for this job.

The Province should provide guidance to municipalities. The costs should be considered part of the general cost of administering the maintenance program, eligible for cost-sharing in the same way. It would probably be advisable to introduce this arrangement progressively, starting with those municipalities that have a well-organized maintenance program, and with pilot projects run by the Province. In this way experience could be obtained and there would be time to build up trained staff before the arrangement was extended to other areas.

Recommendation No. 11

That the Province initiate arrangements for the appointment of field staff to advise people on the job.

That the costs be included in the administrative costs of the program, eligible for cost-sharing.

That this measure be introduced progressively, starting in those cities with a well-organized program, and in Provincial pilot projects.

Assistance

Financial help

provide financial assistance

Some people need financial help to look after the maintenance of their property, particularly when they are faced with a substantial item such as a new roof or re-wiring. It is most desirable to provide this assistance in such a way that it helps to get the job done. It should be geared to the normal method of maintenance that the owner would use if he were able to provide all the money himself.

In many cases people will be able to repay the costs of repairs if only they can borrow the money at normal interest rates. Some, however, will not be able to do so and will need special terms. Two loan arrangements are therefore proposed.

The first proposal is that the Province ensure that loans be available for maintenance and renovation, at full interest rates, in all parts of Ontario. Also that these loans be available in small amounts as well as larger sums.

The majority of owners do their own repairs. Generally they buy the materials out of pocket but occasionally there are bigger jobs, perhaps even requiring a tradesman or contractor, and they may have to borrow to cover expenses. They should be able to do so at normal market rates. They can usually afford this, especially if the loan is small.

Unfortunately, loans are not readily available in many areas, and lenders often dislike making small loans because they are not very profitable. Measures are needed to overcome these problems and it is proposed that the Province take steps to make the conventional lending channels more effective. An insurance or guarantee system is probably necessary to encourage the banks, trust companies, mortgage lenders and similar institutions to lend in areas where they have been reluctant to do so, even though the record of repayment

Some people just do not have the money to carry out repairs. Loans should be available in a form that will help them to look after the work themselves. Most will be able to repay the loan at full interest but some will not, and for them the interest should be reduced in proportion to their income. Implementation of these plans will take some time: they could start in Provincial pilot projects and where cities are organized. The Federal Government might join with the Province in the financing arrangements.

In the meantime there is provision in The Planning Act for municipal loans in certain cases. These provisions could be improved, though this would only be a stop-gap measure until the Province-wide loan plans were implemented.

two arrangements needed

province to ensure full-interest loans obtainable

many owners need small loans

proposed steps to ensure loans available adequate funds required

proposed reducedinterest loans

sliding interest rate

terms of loans

principal repayable

loans on rental property

loans may be refused may be good. This might have to protect the lenders against loss on small loans as well as default on payments.

But even if a satisfactory system was worked out the Province would still have to take steps to ensure that sufficient funds were provided by the lenders to make loans available in all parts of Ontario. This can probably best be approached in the first instance by declaring Provincial policy and then negotiating with the lenders. If this fails the Province might consider making direct loans itself, using the machinery set up for reduced-interest loans.

While the great majority of people can afford to pay full interest on loans, some can not. To put them in a position to be able to carry out repairs and maintenance it is proposed that the Province introduce a program of loans whose interest would be on a sliding scale, geared to the individual's ability to pay. A preference for loans rather than grants was expressed by most people during the study because it was more normal, more likely to encourage the individual to look after his property and minimize borrowing, less inclined to favour people who neglected their buildings and more suitable for a continuing, universal program.

A formula for determining the interest to be paid from the individual's income and family size could be developed. This would have some similarity to the formula used for determining rentals in public housing, and would not require much more personal information than an individual normally provides when seeking a loan.

These loans should run for up to 10 years and be limited to a total of \$5,000.00 on any house, \$3,000.00 on an apartment. This should include reasonable improvements as well as minimum repairs. In extreme cases, where income was very low, the period could be extended until the property was sold, and no interest charged. This would be comparable to the provision that allows pensioners to defer paying school taxes until the property is sold. The administrator should also have the power to grant extensions and to adjust the terms of loans in case of need. Otherwise the terms of each loan would be determined at the time it was made.

In all instances the principal should be repaid. If the property is sold the outstanding balance should become payable, although the administrator should have the authority to re-issue the loan to the buyer, if desirable, and the buyer should be able to determine his eligibility for a loan before making his purchase. The repayment of principal should make it possible for the Province to set up a revolving fund to finance loans.

Owners of rental property should be able to apply for reducedinterest loans, as well as owner-occupiers. Where revenues are too low to cover adequate maintenance and the tenants can afford no more, this assistance should help get the work done with a minimum impact on rentals. Evidence would be required about the inadequacy of the revenues being obtained, and conditions would be attached to the loan governing the rental that could be charged while it was in effect.

There will be cases where buildings are so dilapidated that it makes no sense to spend more money on them. While the decision on whether or not to do so should be left to the owner as far as

possible, in extreme cases the administrator should be able to refuse to grant a loan. In that event the owner should, if necessary, be assisted in disposing of his property or rebuilding.

Administration of these reduced-interest loans does not readily fit in with the conventional process for full-income lending. The loans themselves, and the considerations involved in granting them, are quite different. Instead, it is proposed that the reduced-interest loans be administered as part of the overall maintenance program. The principle to be followed is to integrate lending with other measures, such as counselling, to achieve the best results. Either the municipalities or the Province would be responsible, and the loans would be administered by the officials handling the application of the program in the field.

administration of reduced-interest loans

While the process for conventional lending is not very suitable for handling reduced-interest loans the reverse is not true. A system for administering reduced-interest loans could easily be extended to provide full-interest loans. This might be done in areas where conventional lenders were reluctant to act. It could also have the advantage of helping to balance losses on some loans made at low interest, and thus contributing to maintaining a revolving fund.

administration adaptable for full-interest loans

The administrative arrangements for these loan plans would have to be worked out carefully and would take some time to implement. It would be advisable to extend the full-interest loan arrangements to all parts of the Province as soon as possible. The reduced-interest loans, however, can best be administered in conjunction with comprehensive maintenance programs. As such it would be best to initiate them in municipalities that have such a program, and in Provincial pilot projects.

implementation of loan plans

Since this is a field in which the Federal Government also has an interest it would be reasonable to approach them to participate on a joint basis.

federal participation

That the Province initiate loan plans to help in the financing of maintenance where required

Recommendation No. 12

- a full-interest plan for those who can pay the full cost
- a reduced-interest plan for those unable to afford the full cost.

That the full-interest plan be introduced Province-wide as soon as possible, while the reduced-interest plan is introduced progressively, starting in those municipalities that have a well-organized maintenance program, and in Provincial pilot projects.

That the Province approach the Federal Government to participate in this effort.

Personal Assistance

Quite apart from the financial help people need, though often associated with it, is the personal assistance they may require. A wide variety is called for. Some need counselling on how to run a house,

personal assistance

present programs to be expanded

assistance for those unable to look after their property manage a budget, or look after family affairs. Others need home-maker assistance to do housekeeping and repairs. A few virtually have to be looked after or have to have repairs and maintenance carried out for them.

Generally this kind of assistance is provided through various social services and it is proposed that this arrangement be continued. At the Provincial level the Department of Social and Family Services administers the programs under the General Welfare Assistance Act and the Homemakers and Nurses Services Act. These are useful programs that should be extended substantially to make their services universally available. Provincial leadership will be essential. In some areas the Province will itself have to provide the services. In all areas the maintenance co-ordinators should be encouraged to call on those responsible for these services when they are needed.

But there will also have to be a new service to help maintain the homes of those who are incompetent to look after them themselves. They may be aged, infirm, retarded, senile, or eccentric. These can not be dealt with by any program of advice, encouragement or enforcement, and it is proposed that the responsible government, municipal or Provincial, be empowered to step in and make the necessary repairs. Other means should be explored first, such as having relatives or friends do the work, but if these are unsuccessful notice should be served, an appeal provided for if desired by the owner, then the job should be done. This would be consistent with the general philosophy that the objective is to get the job done, not to prosecute, and to do it in a way that best suits the individual case.

The cost of the work should be charged back to the property

Some people need counselling and personal assistance to help them organize their affairs so that they can look after their property. Existing programs are designed to provide this kind of help but they need to be used much more effectively in most parts of Ontario.

In extreme cases people need the work done for them as they cannot handle it themselves. Fortunately they are quite few, but they can become a substantial problem if there are not positive means of meeting their needs.



owner. If advantageous to him it should be covered by a loan, at full or reduced interest according to need. In most instances this will be required. A combination of this program with homemaking and similar personal services should go a long way towards providing a humane way of dealing with the difficult problem posed by these people who need so much help.

Costs charged to property

That the Province stimulate the use of existing assistance measures by advising and helping municipalities, and by ensuring that there are adequate arrangements in areas of Provincial responsibility. Also that pilot projects be used to determine the most effective ways of providing assistance so that people are helped and maintenance is achieved.

That the Province, in enacting legislation to permit municipalities, or the Province, to carry out repairs and charge the cost back to the property, make provision for those cases where this is done to help people who would otherwise be unable to look after their property.

Recommendation No. 13

Enforcement

While everything possible should be done to achieve good maintenance through encouragement, advice and assistance, governments must have the power to enforce the maintenance of all kinds of property to approved minimum standards where all else fails. Whether because of individual perverseness or a calculated estimate that it is more profitable, there are always a few cases where people refuse to look after their property. Governments must then be able to step in since such neglect is harmful not only to the wellbeing of the occupants and the continued value of the property, but also to the neighbours and the community. Eventually, the Province has a stake in the conservation of the wealth represented by property and in the maintenance of good conditions for its people to live and work in.

enforcement powers essential

As with all other maintenance measures, enforcement should be aimed at getting the job done, not at achieving convictions. With this in mind it is proposed that the main enforcement measure be action by the government to carry out the necessary works when the owner fails to do so, the costs being charged against the property.

action to achieve maintenance

There will be cases where buildings are too dilapidated to repair. Usually these will be sheds, garages and out-buildings, rather than the main premises. Then the owner may be served a demolition order. If he fails to comply or, if he prefers, to carry out the required repairs, the government should proceed to carry out the demolition

demolition when beyond repair

itself, charging the costs back to the owner.

amendments to section 30a

Section 30a of The Planning Act sets out the powers for enforcing maintenance. It is proposed that these be amended to take care of the following points raised during the study. In recognition of the fact that municipalities will need leadership, guidance and advice to

use these powers effectively it is also proposed that arrangements for this be made in the Department of Municipal Affairs. This would include such matters as guidance on the drafting of by-laws and standards, and advice on the organization and processes needed for effective action.

- 1. The Province will take steps to enforce minimum standards in those areas where it is responsible.
- 2. All types of properties will be covered, including mobile homes and vacant lots.
- 3. Municipalities enacting by-laws will name an official who will be responsible for enforcing the by-laws and interpreting the standards. This official may, subject to Council's approval, delegate specified implementing responsibilities to named subordinates who will act in his stead for these purposes. The Province will name officials responsible for enforcing its regulations.
- 4. Maintenance standards by-laws enacted by municipalities will come into effect in a manner similar to that provided for zoning by-laws, as set out in Section 30, Sub-sections 9 to 11c, The Planning Act.
- 5. Municipalities with an official plan will, when enacting a maintenance standards by-law, adopt a statement of their objectives for inclusion in the plan.

Municipalities without an official plan will adopt statements of their objectives in the form of council resolutions endorsed by by-law.

The municipalities will submit these statements to the Minister of Municipal Affairs for his approval. The approved statements will be submitted to the Ontario Municipal Board along with the by-law.

- 6. By-laws may differentiate between the responsibilities of the owner and the occupant, provided that the owner has a residual responsibility where the occupant defaults. This provision will be in accord with the provisions of Section 95 of the Landlord & Tenant Act.
- 7. The steps provided for in the enforcement of by-laws, or Provincial regulations, will include:

inspection

notice of violations

review of notice of violations by responsible official, if requested within 14 days of issuance.

notice to comply

appeal to appeal committee against notice to comply, if launched within 30 days.

notice of intent to execute the work ordered and charge the costs to the owners, if work not completed by a stipulated date, not less than 6 months from the issuance of the notice



Even with a strong emphasis on encouraging and assisting people to get the work done, there will still be cases where enforcement has to be used. It should be aimed at achieving good maintenance, not at prosecution and conviction. The legislation should be modified to provide opportunities for the owner to comply and then for government action to carry out the work and charge it back to the property. It should also provide for speedy action where hazards are discovered. Tenants should be held responsible for housekeeping.

The procedures should be improved so that the legislation is more effective, and it should be possible to certify that properties comply with the prescribed standards.

to comply or 30 days from the issuance of the notice of intent to execute the work.

appeal to the appeal committee against the government intention to execute the work or demolish buildings, if launched within 30 days.

prosecution in the courts, as an alternative to government action to execute the work.

- 8. The responsible official will have the authority to designate particular maintenance requirements on any property as 'urgent' when, in his opinion, they are hazardous or seriously detrimental to the occupants or the community. In these cases the notice of violation may be omitted and an 'urgent' notice issued calling for compliance. Along with this notice may go a notice of intent to execute the work and charge the costs to the owner if the work is not completed within a stipulated time, not less than 10 days. The owner will have 7 days to appeal these notices to the appeal committee. Requirements designated as 'urgent' will be processed separately from other requirements, which will follow the normal procedure outlined in item 7.
- 9. Where the responsible official decides that any defect constitutes such a serious hazard that immediate action is essential he will have the authority to designate it 'immediate', call for it to be rectified immediately and, if that is not complied with, to order the work done by government and the premises vacated until the hazard is eliminated.

The notice calling for immediate compliance will spell out the action that may be taken. There will be no provision for an appeal.

- 10. Notices of violations and notices to comply will be served on the assessed owners and the occupants of the property, except that where the property is a rooming house or has multiple tenancy the caretakers may be notified in lieu of all occupants. Where the owners can not be located notices may be sent to their last known address and the property placarded.
- 11. Notice of intent to execute the work will be served on all parties with a registered financial interest in the property.
- 12. Arrangements for a loan to pay for the work may be made at the time the notice of intent to execute the work is issued.
- 13. The notice to comply and the notice of intent to execute the work shall be registered against the property. This will be cancelled when the work is completed.
- 14. A notice of violations may set out a period, not less than 21 days, within which no further notices will be issued and during which the owners or occupants are asked to proceed to correct the violations. Extensions may be granted at the discretion of the responsible official.
- 15. The responsible official, on review of a notice of violations, may amend its contents at his discretion.
- 16. The appeal committee may amend a notice to comply in any regard.
 In the case of 'urgent' items the committee may likewise amend the notice of intent to execute maintenance works.
 - Should a municipality object to a decision of the appeal committee it may appeal that decision to the Ontario Municipal Board within 30 days. Should the Minister of Municipal Affairs object to the decision of an appeal committee he may refer it to the O.M.B. within a further 30 days. The O.M.B. may confirm, amend, or reverse the decision of the appeal committee.
- 17. A notice to comply may require premises to be vacated if the work ordered is not completed by the stipulated date. Where the responsible official has designated particular requirements as 'urgent' he may also order the vacation of the premises after the period stipulated for completion of these items when, in his opinion, this is necessary.
- 18. The penalties to which owners may be liable on summary conviction will include cumulative fines levied up to the time that the work ordered is completed or the buildings are vacated or demolished, as may be ordered by the court.
- 19. The responsible official may issue a certificate of compliance to an owner whose property has been inspected and found to meet the maintenance standards. This certificate would stipulate a period of time, from one to five years at the official's discretion, during which no further inspections would be made for structural defects, except on request or complaint. A fee could be charged where such a certificate was issued at the owner's re-

quest. This could be related to the size of the building in order to recognize the cost of inspection.

That the Province enact an amendment to Section 30a, The Planning Act, along the lines indicated.

Recommendation No. 14

additional proposals

There are several items that are either parts of the program or so closely related to it that action on them should be integrated with the program. The ones considered here are:

Municipal loans
Relocation
Use of cleared lands
Studies
Prevention of problems
Integration of Maintenance Program

section 30b,

the planning act

Municipal loans

Under Section 30b of The Planning Act municipalities may make loans to owners to help pay for repairs to bring properties up to minimum standards. While this is likely to be superseded by the proposed loan plans it may still have some use and should at least be retained until the new plans are operational. The term for repayment of these loans should be increased to 10 years to conform with other repayment provisions. The word "lien" should also be eliminated if possible since it upsets people, particularly the elderly for whom such loans are most valuable, by suggesting that their property may be seized.

Recommendation No. 15

That the Province amend Section 30b, The Planning Act, to extend the repayment period to 10 years, and to delete the term 'lien'.

assistance with relocation

Where people are displaced as a direct result of the enforcement of maintenance or occupancy standards, governments should be responsible for assisting them with relocation. The precedents established in urban renewal areas might well be followed.

problem cases

Where people have problems that make it difficult for them to find housing special efforts should be made to help them. Fortunately there are extremely few such cases but they require special attention.

The general objective is to help people and there should be means of doing so that match their needs.

That the Province provide for the responsible government to assist in the relocation of people displaced through enforcement of by-law standards.

Recommendation No. 16

Use of cleared lands

Demolition is the normal end of any worn-out building. But it is hard to enforce, even when a building is beyond reasonable repair: it seems a drastic penalty even though the building may have little or no value. Up to that point advice and assistance are available to put it into good repair. Beyond that point, the owner is asked to either repair the building at his own expense or demolish it.

accelerated demolition

demolition

difficult to

entorce

In practice the situation is seldom so dramatic. The maintenance program simply calls for a clear decision to demolish worn-out buildings, rather than permitting the kind of slide into disrepair, dilapidation and decay that so often precedes demolition. Also, most buildings to be demolished are sheds, garages and out-buildings.

assistance to owner

To alleviate possible hardship to the owner it is proposed that public authorities be prepared to buy cleared sites if they are suitable for public purposes. Ontario Housing Corporation should consider the construction of new houses on such sites, giving the previous

Occasionally people have to be relocated as a result of public action. When this happens the responsible government should have an obligation to help them find another home.



Some buildings are so far beyond repair that it is best to demolish them. Usually these are out-buildings but sometimes a property is cleared. Where the owner has difficulty in disposing of the land public authorities should consider buying it and, if houses are built on it, should give him priority in relocating on the site. If the owner chooses to rebuild he should be offered every available assistance.

owners priority to move back in. Should the owner elect to rebuild himself he should be given every possible advice and assistance. Central Mortgage and Housing Corporation might be approached to assist with mortgage loans in such cases.

Recommendation No. 17

That the Province encourage municipalities, government departments and agencies, to consider the acquisition and use of sites cleared through enforcement of the maintenance program. Where housing is constructed the previous owners should be given priority in relocating in it.

That the Province ensure that all possible advice and assistance is available to owners who elect to rebuild, and seek the collaboration of C.M.H.C. in providing mortgage loans.

Studies

implementation technique

•

mobile homes

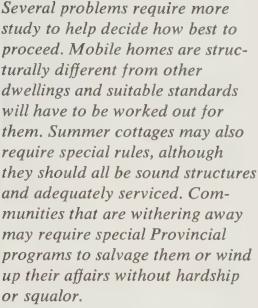
The undertaking of an extensive maintenance program will require the development of effective procedures and techniques and the training of skilled staff. This will require preliminary study followed by practical experience, preferably in conditions that can be carefully observed so that changes and improvements can be worked out. The proposal to initiate implementation of the program in cities that already have maintenance staff and experience, and in Provincial pilot projects of a variety of types, should provide suitable conditions.

Mobile homes pose a particular problem. Their construction is substantially different from other homes and they are not subject to building by-laws. Since they are, in effect, used as buildings and must be maintained if they are to remain satisfactory, they should be the subject of a special study to determine what standards and controls should apply and what methods would best secure their maintenance.

summer cottages

The conversion of summer cottages to year-round homes has frequently been a cause of trouble. On the one hand, authorities do not want to prevent the construction of cheap cottages for occasional use, provided no pollution or similar problems result. On the other hand, the resulting buildings are often unsuitable for conversion and yet the authorities hesitate to apply adequate building standards at this time. In many of the worst cases, of course, no authority attempts to enforce any useful building standards at all.











Everywhere methods of implementation will require continuing study and improvement. The Province can make a valuable contribution through a series of pilot studies such as the one carried out in Brunetville.

policy for resorts

declining settlements

This dilemma will become more acute as effective building controls are extended to resort and rural areas. The maintenance program is also likely to be called on to help rectify the very poor conditions that exist. It would be useful to review this problem, particularly to determine whether there should be special resort standards for seasonal occupancy only. A clear policy is going to be required.

One of the most difficult cases is the settlement that has outlived its economic usefulness and is declining. Progressively more and more buildings are abandoned, and the temptation is to allow them to deteriorate badly, even before their occupants leave. Community standards also suffer. The maintenance program should be reviewed to see how it may be adjusted to take care of such cases. The Province may very well have to undertake pilot projects, if only to clean up conditions as the population declines.

Recommendation No. 18

That the Province carry out controlled studies to determine the best procedures for implementing the program.

That the Province conduct studies to determine the best policies and programs for mobile homes, summer cottages, declining communities.

Prevention of problems

new problems to be prevented There is no sense in permitting problems to be created in new development at the same time as efforts are being made to bring what already exists up to good standards and to maintain it. Steps must be taken to ensure this does not happen because of inadequate controls in rural and unorganized areas.

controls must be improved

Sub-division, zoning and building controls are involved. It is proposed that the Province seek ways of making these more effective so that new buildings will be well built, located where they can be serviced economically, and fit into the future community. One recent step in this direction is the publication of the 'Report of the Committee on Uniform Building Standards for Ontario'. All of the controls and procedures should be scrutinized, and it seems likely that it will be necessary to prohibit development in some areas.

Recommendation No. 19

That the Province review the methods of ensuring that new development is not likely to produce problems and take steps to prevent undesirable development from taking place.

maintenance co-ordinator

Integration of Maintenance Program

To ensure that all the field efforts of the maintenance program are integrated to produce the best results it is proposed that the Province and the municipalities appoint maintenance co-ordinators. They



New problems must be prevented. Poor construction in places where services are hard to provide is the result of lack of control. The Province should ensure that this does not happen.

would be responsible for the field application of the various measures so as to meet the needs of each situation as well as possible. In most cases their duties would include being the designated official responsible for enforcing the standards. They should also be able to call on other officials for assistance, in welfare, housing and education particularly. Arrangements for reduced-interest loan applications should come under their jurisdiction and the loan administrators should be able to call on them for advice in assessing cases. The focusing of responsibility in one individual should help achieve a co-ordinated effort, and the emphasis on using the various programs to encourage and assist maintenance should go a long way towards achieving an effective process that people would accept.

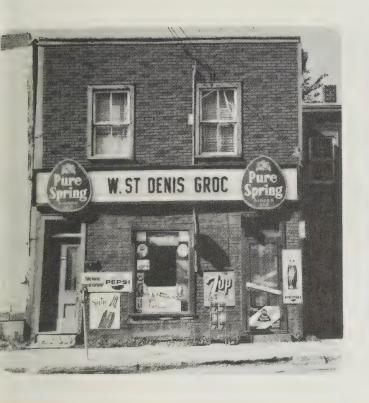
That the Province provide for the appointment of maintenance coordinators to integrate the field operations of the program. Recommendation No. 20











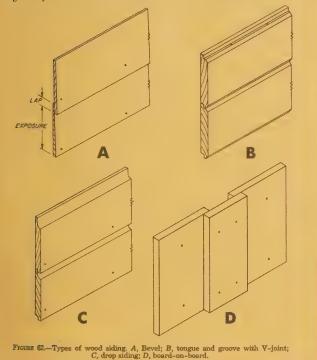


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Lumber Siding

Lumber siding should be sound, free of knot holes, loose knots, checks or splits. Easy working qualities and freedom from warp are desirable features. The species most commonly used are the cedars, pines and redwood. The moisture content of the siding at the time of application should be the same as it will experience in service, i.e. about 12 to 18 per cent, depending upon the climate.

Horizontal Application. — Bevel or feather edge siding (Fig. 62A) generally starts with the bottom course of boards blocked out as shown



The application of all aspects of the maintenance program should be integrated in the field to achieve the best results and ensure that people are helped as much as possible. This will be more likely if one individual the maintenance co-ordinator— is responsible for the whole range.

in conclusion

enduring communities

good building and maintenance essential

universal, continuous approach needed

much to be done

reinforce normal efforts

provincial maintenance program proposed Times have changed. More and more, Ontario is a province of enduring communities. No longer is it the frontier area where people wanted to settle and hold the land, and accepted that what they built was probably transitory, to be supplanted later by whatever developed. It has become an established, prosperous, expanding society.

People are increasingly recognizing that what they have built, and are building, is the environment in which they and their children will live. It is here to stay. It is only natural that there is increasing concern about building it well and maintaining it in good condition.

This is a universal issue, embracing all kinds of property in all parts of Ontario. And it is an enduring one, just as buildings, settlements and communities must last. A correspondingly universal and continuous approach is called for if Ontario's needs are to be met.

There is a tremendous amount to be done. The backlog of poor construction, neglect, unsightly and insanitary conditions will take years to rectify, on top of the sustained effort that will be needed to ensure good maintenance. It is clearly essential to focus any program on ways of getting the job done.

A fundamental objective must be to reinforce the efforts of the ordinary individual to look after his own property, and to do this in such a way that good maintenance becomes a normal part of life in the Province. It is a sound point of departure to assume that the great majority of people want to keep their property in good condition and will do so if they know how and are able to handle it, and if the conditions encourage them to believe that it is worth while.

To help achieve this it is proposed that the Province adopt a maintenance program incorporating a series of measures designed towards this end. The program is divided into four main sections,

Encouragement

Advice

Assistance, and

Enforcement

It is intended that as much as possible be done, through encouragement, advice and assistance, to stimulate and help people to do the job themselves in the ways they find most practical. Enforcement would be reserved for those residual cases where some indi-

viduals refused to co-operate, and it also would be aimed at getting the job done, not at prosecution.

Implementation is essential if the program is to be of any value. But the Province cannot do this alone. It can provide leadership, advice and assistance, and carry out those things for which it will be responsible. But it needs the active co-operation of other governments, as well as the willing efforts of the public.

implementation requires co-operation

Field operations, working with people at the point where the program takes effect, are likely to be most difficult to organize. Much of the responsibility will fall to municipalities, but in the rural areas and small towns they are seldom equipped to handle this complex task while in the unorganized territories there is no local government at all.

field operations require organization

It is proposed that the Province ensure that there is a competent government responsible for field operations in every part of Ontario, and that it take the responsibility itself where the municipal government is not up to the task. A clear formula will be needed so that there is no uncertainty about which government is responsible. A corresponding formula for sharing administrative costs would help to ensure an equitable arrangement between one municipality and another, besides stimulating implementation.

Clear formula for responsibility essential

It will be a lengthy process to organize the universal implementation of the entire program, and will take sustained application over several years. But a useful start can be made quite quickly in several ways. The Province could adopt the program it finally accepts, provide leadership, enact legislation and institute many of the measures. Those cities that already have a maintenance organization could be encouraged to undertake new programs while the Province itself carried out pilot projects. This would provide experience for the extension of the program to all parts of Ontario. In the meantime studies could be carried out to determine how best to cope with the problems posed by mobile homes, summer cottages and declining communities, and steps could be taken to ensure that new development did not create new problems.

first steps

The full implementation of the program would see the maturing of a process aimed at making maintenance a normal part of life in Ontario. People would be encouraged and helped to look after their own property. Not only would the individual benefit, but their communities also would be improved and Ontario as a whole would be a healthier and more attractive place.

benefits of full program



summary of recommendations

The recommendations are brief. Their intent is best explained by reference to the discussions in the text. Page references are given so that these can readily be located.

The General Program

That the Province adopt a maintenance program of measures that are:

Recommendation No. 1

p. 23

- universal
 - embracing all kinds of property in all parts of Ontario
- continuous
 - a process of consistent action over the years
- adequate in scope
 - to embrace all aspects of maintenance
- positive
 - to accomplish the required work
- normal
 - a part of life in the community

and that steps be taken to ensure that new development is not likely to create maintenance problems.

That the program be aimed at stimulating owners to carry out maintenance by the most practical means and reinforcing their ability to do so.

Recommendation

No. 2

p. 24

That the major divisions of the program be

Encouragement

Advice

Assistance

Enforcement

That the various measures in the program be applied progressively in the above order, the first three being used to accomplish as much as possible without resort to enforcement.

Recommendation

No. 3

p. 27

That the Province develop and adopt a process for the implementation of the program, including

- a formula for the allocation of responsibility to the municipal, regional and Provincial governments.
- a formula for the sharing of administrative costs.
- pilot projects to test methods and deal with selected areas.
- proposals for progressive implementation, and the methods of extending the program.

Specific Measures-

Encouragement

Recommendation

No. 4

p. 29

That the Province adopt the policy of stabilizing and improving developed areas, except where change is logical or necessary, and ensure that this policy is pursued by its own departments.

That the Province issue statements designed to publicise its programs and to encourage individuals, corporations and municipalities to take the initiative in looking after their property.

Recommendation

No. 5

p. 30

That the Province ensure that its own property is well maintained. That steps be taken to look after public property in unorganized territories, starting with pilot projects.

Recommendation

No. 6

p. 31

That the Province enact a moratorium on tax increases due to the repair or improvement of buildings, to run for 5 years and the maximum amount to be \$5,000.00 of assessment.

Recommendation

No. 7

p. 32

That the Province seek the co-operation of other governments and their agencies, and provide them with advice on the implementation of the program.

That the Province consider ways of encouraging municipalities to provide adequate services.

Recommendation

No. 8

p. 33

That the Province develop and operate a suitable Ontario-wide system for the disposal of car hulks.

That the Province

- develop guidelines for handling typical problems.
- have "do-it-yourself" booklets prepared.
- distribute them widely.

Recommendation

No. 9

p. 34

That the Province, through the Department of Education, arrange for handyman courses for all school pupils, extension courses for people wanting instruction in repairs and renovation, and training for maintenance program staff. Recommendation

No. 10

p. 35

That the Province initiate arrangements for the appointment of field staff to advise people on the job.

That the costs be included in the administrative costs of the program, eligible for cost-sharing.

That this measure be introduced progressively, starting in those cities with a well-organized program, and in Provincial pilot projects.

Recommendation

No. 11

p. 36

Assistance

That the Province initiate loan plans to help in the financing of maintenance where required

a full-interest plan for those who can pay the full cost

- a reduced-interest plan for those unable to afford the full cost.

That the full-interest plan be introduced Province-wide as soon as possible, while the reduced-interest plan is introduced progressively, starting in those municipalities that have a well-organized maintenance program, and in Provincial pilot projects.

That the Province approach the Federal Government to participate in this effort.

Recommendation

No. 12

p. 39

That the Province stimulate the use of existing assistance measures by advising and helping municipalities, and by ensuring that there are adequate arrangements in areas of Provincial responsibility. Also that pilot projects be used to determine the most effective ways of providing assistance so that people are helped and maintenance is achieved.

That the Province, in enacting legislation to permit municipalities, or the Province, to carry out repairs and charge the cost back to the property, make provision for those cases where this is done to help people who would otherwise be unable to look after their property.

Recommendation

No. 13

p. 41

	Enforcement
Recommendation No. 14 p. 45	That the Province enact an amendment to Section 30a, The Planning Act, along the lines indicated.
	Additional Proposals
Recommendation No. 15 p. 46	That the Province amend Section 30b, The Planning Act, to extend the repayment period to 10 years, and to delete the term 'lien'.
Recommendation No. 16 p. 47	That the Province provide for the responsible government to assist in the relocation of people displaced through enforcement of by-law standards.
Recommendation No. 17 p. 48	That the Province encourage municipalities, government departments and agencies, to consider the acquisition and use of sites cleared through enforcement of the maintenance program. Where housing is constructed the previous owners should be given priority in relocating in it.
	That the Province ensure that all possible advice and assistance is available to owners who elect to rebuild, and seek the collaboration of C.M.H.C. in providing mortgage loans.
Recommendation No. 18 p. 49	That the Province carry out controlled studies to determine the best procedures for implementing the program. That the Province conduct studies to determine the best policies and programs for mobile homes, summer cottages, declining communities.
Recommendation No. 19 p. 49	That the Province review the methods of ensuring that new development is not likely to produce problems and take steps to prevent undesirable development from taking place.
Recommendation No. 20	That the Province provide for the appointment of maintenance co- ordinators to integrate the field operations of the program.

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acknowledgements

I cannot begin to acknowledge the many ways in which I am indebted to others. This, after all, was a study organized in such a way that I was able to draw on the experience, observations and suggestions of a large number of people intimately concerned with the issue. They gave most generously of their time and advice and I only regret that I can not recognize each and every one of them.

I would like to mention the valuable liaison that was established within the Department of Municipal Affairs, the excellent participation of other government departments and the important contributions from many municipalities. Mrs. Norah Johnson, Dr. Albert Rose and Mr. Eric Hardy provided expert criticism and advice.

Throughout the study I had the generous assistance of Mr. D. F. Taylor, Director of the Community Planning Branch, and Mr. J. F. Brown, Supervisor of the Urban Renewal Section, who acted as Study Director for the Department of Municipal Affairs. They were instrumental in enabling the study to reach a successful conclusion. The proposals, of course, are my own but they owe a great deal to the contributions of others.

MATTHEW B. M. LAWSON







